

REMARKS

Claims 5, 6, 9, 11, 13, 15 and 17 stand rejected under 35 U.S.C. § 103 as being unpatentable over United States Patent No. 6,349,344 to Sauntry et al. in view of United States Patent No. 5,978,585 to Crelier. Applicant respectfully traverses this rejection.

Applicant maintains and incorporates by reference herein those arguments previously advanced on pages 2 through 3 of Response B, filed on November 24, 2004. Applicant respectfully requests that the Examiner reconsider those arguments, and withdraw this § 103 rejection. Additionally, Applicant respectfully requests that the Examiner consider the following new arguments and expansions upon the previous arguments.

Applicant respectfully submits that one of ordinary skill in the art would not have been motivated to modify the Sauntry et al. device in light of the Crelier reference in the manner suggested by the Examiner. The invention of the Sauntry et al. reference is intended to be used with memory constrained devices, such as handheld devices running Microsoft Windows CE. *See e.g.*, Col. 2, lines 58-62. In particular, the Sauntry reference relates to a system designed to conserve RAM. *See e.g.*, col. 2, lines 30-45; col. 3, lines 36-46; col. 7, lines 18-29. To accomplish this goal, the invention of Sauntry et al. loads and parses (and/or compiles into native code (col. 10, lines 24-27)) the JAVA class files into a file that is burned onto a ROM so that RAM can be saved and the program can be executed more quickly.

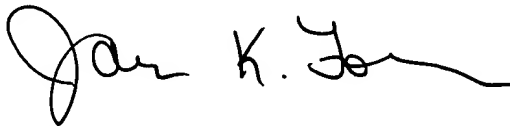
In contrast, the device of Crelier requires the use of numerous timestamps (each of which must be saved, presumably in RAM) to determine whether a file has been changed and therefore needs to be re-compiled. Such a system does not conserve RAM, but instead utilizes additional RAM to avoid unnecessary compiling. Further, the system of Crelier, including the timestamps, would not make sense to save on ROM because the frequent memory reads/writes required by the system of Crelier would take much longer if each one was a ROM access instead of a RAM access. Additionally, to modify the device of Sauntry et al. to save the loaded, parsed and compiled JAVA files to RAM (instead of ROM, as taught in Sauntry et al.) would be contrary to one of the main objectives of Sauntry et al. (conserving RAM). Accordingly, for these reasons, Applicant respectfully submits that one of ordinary skill in the art would not have modified the Sauntry et al. device in light of the Crelier reference in the manner suggested by the Examiner to arrive at the claimed invention, as defined in Claims 5, 6, 9, 11, 13, 15, and 17. Therefore, Applicant respectfully requests the withdrawal of this § 103 rejection.

For all of the above reasons, Applicant requests reconsideration and allowance of the claimed invention.

Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By 

James K. Folker

Registration No. 37,538

February 2, 2005

Suite 2500
300 South Wacker Drive
Chicago, Illinois 60606
(312) 360-0080

Customer No. 24978

P:\DOCS\1503\64973\831656.DOC